525

Dated 9th February 1952.

No. C. & D. 2219—Imp. 1-51-14. The following ublic Notices issued by the Government of India, Ministry of Commerce and Industry, are republished for ie information of the public :—

(1) No. 5-ITC (P.N.)/52, dated 18th January 1952;
(2) No. 2-ITC (P.N.)/52, dated 11th January 1952.

By Order,
R. J. REGO,
Secretary to Government,
Development Department.

GOVERNMENT OF INDIA.
MINISTRY OF COMMERCE AND INDUSTRY.
IMPORT TRADE CONTROL.
New Delhi, the 18th January 1952.
Public Notice.

Subject :—Forms of application for import of goods for the various categories of importers for use from the licensing period, January-June 1952 and onwards.

"With a view to facilitate speedy disposal of applications nd also to eliminate applications being made by importers n wrong forms, it has been decided to introduce a system f coloured application forms for the different categories of pplicants, *viz* :—

(i) New Comers (Green);
(ii) Established Importers (Scarlet Red);
(iii) Actual Users (Azure Blue);
(iv) New Comer—Sole Agents (Deep Violet);
(v) Raw Materials for certain specified Industries (Red-Brown); and
(vi) Capital Goods and Heavy Electrical Plant (Black).

hese forms can be had on payment of annas two each from ie Manager, Government of India Photo Litho Press, B' Barracks, Queensway, New Delhi, and also from the ffices of the Joint Chief Controllers of Imports and xports, Bombay and Calcutta and the Deputy Chief ontroller of Imports and Exports, Madras. These forms ill also be available through the normal Agents of Govern-ent publications.

Importers are accordingly advised that it will be in their wn interest to submit their applications for January-une 1952 period on these new forms, as this will facilitate uicker acknowledgment and disposal of their applications. mporters are also advised that as from 1st March 1952, ll applications are to be submitted only on the new forms. pplications which are not in the required form as men-oned above, will not ordinarily be entertained after that ate."

B. B. SAKSENA,
Dy. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.
MINISTRY OF COMMERCE AND INDUSTRY.
IMPORT TRADE CONTROL.
New Delhi, the 11th January 1952.
Public Notice.
Import of Churns.

"Attention of importers is invited to the entry relating o Dairy and Poultry Farming Appliances in Open General icence No. XVI issued with the Government of India, linistry of Commerce, in Notification No. 26-ITC/49, ated the 25th August 1949. It has now been decided that ll Churns should be allowed clearance under this entry in he said Open General Licence irrespective of whether the hurns are of the domestic or household type or whether hey are used as a dairy appliance."

B. B. SAKSENA,
Dy. Secy. to the Govt. of India.

FINANCIAL SECRETARIAT

Dated 5th February 1952.

Circular.

No. Fl.(B) 4420-4620—B. & T. 4-51-3. The question whether the State Savings Bank Act is superseded by the extension of the Central Savings Bank Act to the Mysore State has been examined and it has been held that the Central Act has come into force in Mysore from 1st April 1951 and that the Mysore Government Savings Banks Act which was till then in force in the State has ceased to be in force from that date. Government are considering the question of suitable amendment of the Central Act in so far as it applies to Mysore and till such an amendment comes into force, the Treasury Officers shall regulate the payments in accordance with the provisions of the Central Act, a copy of which is annexed hereto.

2. Under Section 4 of the Central Act, on the death of a depositor, where the deposit does not exceed five thousand rupees, the Secretary of the Bank can make the payment of the same to the person appearing to him to be entitled to the amount. The Secretary of the Bank in the case of Mysore Government Savings Banks is the Officer-in-charge of the Treasury concerned, but Government consider that payment up to Rs. 5,000 should be made only after careful enquiries. They accordingly direct that the Treasury Officers shall make the payments subject to the following instructions :—

(i) A Taluk Treasury Officer shall not make any payment exceeding one hundred rupees without the previous approval of the Deputy Commissioner;
(ii) A District Treasury Officer shall not make any payment exceeding one thousand rupees without the previous approval of the Deputy Commissioner.

3. It may be noted that nominations cannot be recognised under the Central Act as there is no provision in it corresponding to Section 4-A of the Mysore Act and any nominations registered on or after 1st April 1951 may be cancelled and parties intimated of the cancellation with the reasons therefor. The nominations accepted prior to 1st April 1951, may continue to be recognised since their validity is provided for by section 6 of the Part B States (Laws) Act, 1951.

M. SHAMANNA,
Secretary to Government,
7294 *Finance Department.*

Act No. V of 1873.

THE GOVERNMENT SAVINGS BANK ACT.

Received the Governor-General's assent on the 28th January 1873. An Act to amend the law relating to Government Savings Banks.

Preamble.—Whereas it is expedient to amend the law relating to the payment of deposits in Government Savings Banks; it is hereby enacted as follows :—

PRELIMINARY.

Short title.—1. This Act may be called "The Government Savings Bank Act, 1873",

Local extent.—It extends to the whole of India except the State of Jammu and Kashmir.

Commencement.—(Repealed by Act XVI, 1874).

2. (Repealed by Act, 1873).

Interpretation Clause.—3. In this Act.—

"Depositor" means a person by whom, or on whose behalf, money has been heretofore, or shall be hereafter, deposited in a Government Savings Bank, and "deposit" means money so deposited;

"Secretary" means in the case of a Post Office Savings Bank, the Post Master General appointed for the area in which the Savings Bank is situate; and

"Minor" means a person who is not deemed to have attained his majority under the Indian Majority Act, 1875.

DEPOSITS BELONGING TO THE ESTATES OF DECEASED PERSONS.

Payment on death of depositor.—4. If a depositor dies and if probate of his will of letters of administration of his estate or a succession certificate granted under the Indian Succession Act, 1925, is not within three months of the death of the depositor produced to the Secretary to the Government Savings Bank in which the deposit is, then—

(a) if the deposit does not exceed five thousand rupees, the Secretary may pay the same to any person appearing to him to be entitled to receive it or to administer the estate of the deceased, and

(b) within the aforesaid limit of five thousand rupees, any officer employed in the management of a Government Savings Bank who is empowered in this behalf by a general or special order of the Central Government may to the extent to which he is empowered by such order and subject to any general or special orders of the Secretary, in this behalf, pay the deposit to any person appearing to him to be entitled to receive it or to administer the estate.

Payment to be a discharge.—5. Such payment shall be a full discharge from all further liability in respect of the money so paid.

Saving of right of executor.—But nothing herein contained precludes any executor or administrator or other representative of the deceased, from recovering from the person receiving the same the amount remaining in his hands after deducting the amount of all debts or other demands lawfully paid or discharged by him in due course of administration.

Saving of right of creditor.—And any creditor or claimant against the estate of the deceased may recover his debt or claim out of the money paid under this Act or Act No. XXVI of 1855, to any person, and remaining in his hands unadministered, in the same manner and to the same extent as if the latter had obtained letters of administration of the estate of the deceased.

Security for due administration.—6. The Secretary of any such Bank or any officer empowered under Section 4 may take such security as he thinks necessary from any person to whom he pays any money under section 4 for the due administration of the money so paid, and he may assign the said security to any person interested in such administration.

Power to Administer oath.—7. For the purpose of ascertaining the right of the person claiming to be entitled as aforesaid, the Secretary of any such Bank may take evidence on oath or affirmation according to the law for the time being relating to oaths and affirmations.

Penalty for false statement.—Any person who, upon such oath or affirmation makes any statement which is false, and which he either knows or believes to be false or does not believe to be true shall be deemed guilty of an offence under Section 193 of the Indian Penal Code.

Deposit when excluded in computing Court fees—8. Where the amount of the deposit belonging to the estate of a deceased depositor does not exceed three thousand rupees, such amount shall be excluded in computing the fee chargeable, under the court-fees Act 1870 on the probate, or letters of administration, or certificate, if any, granted in respect of his property.

Provided that the person claiming such probate or letters or certificate shall exhibit to the court authorised to grant the same a certificate of the amount of the deposit in any Government Savings Bank belonging to the estate of the deceased. Such cert ficate shall be signed by the Secretary of such Bank, and the Court shall receive it as evidence of the said amount.

Act not to apply to deposits belonging to estates of European Soldiers or deserters.—9. Nothing herein before contained applies to money belonging to the estate of any European Officer, non-commissioned officer, or soldier dying in Government Service in India, or of any European who, at the time of his death, was a deserter from the said service.

DEPOSITS BELONGING TO MINORS.

Payment of deposits to minor or guardian.—10. A deposit made by, or on behalf of, any minor, may be pa to him personally, if he made the deposit, or to his guardi for his use, if the deposit was made by any person oth than the minor, together with the interest accru thereon.

The receipt of any minor or guardian, for money pa to him under this section, shall be sufficient discha therefor.

Legalization of like payments heretofore made.—11. payment of deposits heretofore made to minors or th guardians by any Secretary of a Government Savings Ba shall be deemed to have been made in accordance wi law.

DEPOSITS BELONGING TO LUNATICS.

Payment of deposits belonging to lunatics.—12. If a depositor becomes insane or otherwise incapable managing his affairs and if such insanity or incapaci is proved to the satisfation of the Secretary of the Bank which his deposit may be,

such Secretary may, from time to time, make paymer out of the deposit to any proper person,

and the receipt of such person, for money paid under th section shall be a sufficient discharge therefor.

Where a Committee or Manager of the depositor's esta has been duly appointed, nothing in this section authori payments to any person other than such Committee Manager.

DEPOSITS MADE BY MARRIED WOMEN.

Payment of married women's deposits.—13. Any depo made by or on behalf of a married woman, or by or behalf of a woman who after-wrads marries, may be pa to her, whether or not the Indian Succession Act 18 section 4, applies to her marriage, and her receipt f money paid to her under this section shall be a sufficie discharge therefor.

RULES.

Rules regulating certificates under section 6, and payme under section 10, 12 or 13.—14. All certificates und section 8, and all payments under section 10, section 12, section 13, shall be respectively granted and made by t Secretary of the Bank, subject to such rules consiste with this Act as the Central Government may, from ti to time, prescribe.

Dated 22nd January 1952.

No. Fl. 6183-6270—G.F. 214-51-2. The accompanyi copy of Office Memorandum No. 25/2/50—Ests., dat 20th June 1951, from the Government of India, Minist of Home Affairs, is forwarded to the Heads of Departmen and Secretaries to Government for information an guidance.

M. SHAMANNA,
Secretary to Government,
7380 *Finance Departmen*

Office Memorandum.

Subject.—*Employment of honorary workers in Civil Post*

Various questions have arisen from time to time i connection with the employment of honorary workers i civil posts. After careful consideration it has been decide that the following instructions should be laid down for th guidance of all concerned.

2. The basic principles to be adopted in this matte are :—

(i) Employment of honorary workers in civil post should be an exceptional procedure to be resorted to only i abnormal circumstances or when suitable paid employee are not available.

(ii) Honorary employment should be offered only t such persons as have rendered meritorious services or ar eminent in public life and have a striking reputation fo integrity.

(iii) Services of an honorary worker should be utilise only in an advisory capacity. The work to be entrusted t

527

should not be such as would involve exercise of executive, administrative or judicial powers as the holder of a post or exercise of authority in the name, or on behalf, Government.

(iv) An honorary worker should be paid a nominal ary of Re. 1 per month in respect of the civil post the ies of which he is required to perform. This is necessary order to bring him within the ambit of the Government vants Conduct Rules and other service rules. An norary worker need not, however, actually draw such minal salary and may by writing to the Accounts Officer erned voluntarily surrender it. For the purposes of cial records, however, such nominal salary must be fixed specified in the order of appointment.

(v) All honorary workers should automatically and *prio vigore* be subject to the provisions of the Indian cial Secrets Act, 1923. They need not be required to any declaration in this connection, but the position uld expressly be made clear to each honorary worker at time of his appointment.

3. It is realised that strict enforcement of the above nciples may present practical difficulties in individual es. For example, it may not be necessary to enforce requirements of clause (iii) in paragraph 2 above in the e of persons who have previously held a high office ler Government. Again, honorary workers who are minent in the public or political life of the country not reasonably be expected to sever their lifelong ociation with the political parties to which they belong; a working arrangement, therefore rules 18, 20 and 23 of Government Servants Conduct Rules ought not to be orced against such persons in so far as participation in itics is concerned. In all other respects, however, such sons should be governed by the provisions of the vernment Servants Conduct Rules.

. In the case of the employment of Members of Parliaent in an honorary capacity it is necessary to ensure that h employment does not amount to holding an office of fit under Article 102 (1) (*a*) of the Constitution. In h cases the requirements of clause (iii) in paragraph 2 ve should be strictly adhered to while the requirements clause (iv) should not be enforced at all. The instrucns issued in the Ministry of Law's Office Memorandum . F. 55(1)/50-C, dated the 6th February 1951, regardthe payment of allowances and fees to Members of rliament should also be carefully borne in mind.

5. All proposals for the employment of honorary rkers in civil posts as well as all proposals for exceptnal treatment in cases in which the Ministry concerned nsider that the requirements of any of the basic principles l down in paragraph 2 above should be relaxed, should referred to the Ministry of Home Affairs for prior ncurrence.

3. It should be made clear to honorary workers at the e of their appointment that there is no obligation on the t of Government to provide them with residential ommodation or any other concessions usually allowed to aried employees of Government. Each such case would treated on its merits. Accommodation, furniture, etc., y be made available if justified and to the extent it can done without detriment to Government's commitments salaried employees.

7. A copy of this Office Memorandum should be communicated to every honorary worker along with the orders his appointment.

8. The Ministry of Finance, etc., are requested to note ese instructions and communicate them to their Attached d Subordinate Offices for guidance. They are also quested to examine the cases of any honorary workers present employed under them or in their Attached or abordinate Offices with a view to ensure compliance with ese instructions.

9. These instructions supersede the orders contained the late Home Department Office Memorandum o. 50/15/39—Public, dated the 24th October 1939.

(Sd.) S. B BAPAT,
Joint Secretary to Govt. of India.

OFFICIAL MEMORANDUM.

Incurring of charges for reservation of seats for accommodation for travel and for Board and Lodging of Government Officers.

O.M. No. Fl. (B) 4209-4309—L.F.A. 75-51-6, DATED BANGALORE, THE 30TH JANUARY 1952.

As per Article 100(2) of the M.C.A.C. Volume I, telegrams from Officers respecting applications for leave of absence, appointments and other matters of a personal nature may not be sent at the expense of the State.

In accordance with the provisions of the above Rule, it is hereby directed that with immediate effect, all expenditure, including expenditure on Postal, Telegraphic and Trunk-call charges incurred by Government Officers in connection with the reservation of accommodation either in trains, planes, guest-houses or hotels should be borne by the Officers concerned and should not be charged to Government.

M. SHAMANNA,
Secretary to Government,
Finance Department.

LAW SECRETARIAT.

Dated 7th February 1952.

No. 5230—Law. 274-51. Under the explanation to Section 25 of the Negotiable Instruments Act, 1881 (XXVI of 1881), Thursday the 7th February, 1952, shall be a Public Holiday throughout the State as a mark of respect to the memory of King George VI.

By Order of His Highness the Maharaja,
N. R. JAYA RAO,
Secretary to Government,
7289 *Law Department.*

PUBLIC WORKS SECRETARIAT.

No. P.W. 7110—15, dated 5th February 1952.

Under Section 6 of the Land Acquisition Act of 1894, as amended from time to time it is hereby declared that the following properties situated in Inam Belagalu Village are required for a public purpose, *viz.*, the submersion area of Tunga Anicut Project; and under Sections 7 and 8(c) of the said Act, the Special Land Acquisition Officer, Lakkavalli Reservoir and Tunga Anicut Projects, Shimoga, is authorised to take order for the acquisition of the properties.

Shimoga District, Shimoga Taluk, Kasaba Hobli,
Inam Belagalu Village.

1. Gavatana land; 4 acres, Khatedar and anubhavadar Narasimha Dixit alias Shamavadhani. Extent required 5 acres and 9 guntas bounded on the East by Survey No. 1, and West by Survey No. 15, North by Survey No. 16 and South by Survey No. 15.

2. Building properties belonging to the following persons in this gavatana:

i.	Sri Eswara Temple	K. No. 1	Mangalore tiled building.
ii.	Vitlappa Setty	K. No. 2	Dwelling house with panata five sheds with thatched roofing and one panata outside.
iii.	Parasa bin Sanga	K. No. 3	Thatched house—tattiwalls and hay roofing and a cattle shed.
iv.	Jana bin Rama	K. No. 4	Dwelling house and cattle shed with tatti walls and hay roofing.
v.	Do	K. No. 5	Dwelling house with tatti walls and hay roofing.
vi.	Subba bin Sanna	K. No. 6	Do and a cattle shed with a hay roofing.
vii.	Sankra bin Sansidda	Do 7	Do do
viii.	Channa bin Sanna	Do 8	Do do
ix.	Kunduri bin Chowda	Do 9	Do do
x.	Hala s/o Doddasidda	Do 10	Do do
xi.	Era bin Bhadra	Do 11	Do only
xii.	Pakeera bin Jakkayya	Do 12	Do (since fallen down)
xiii.	Shamavadhani (Inamdar)	Do 13	One cattle shed—dilapidated.

N.B.—There are nine mango trees, four jack-fruit trees, six tamarind trees, two gauva trees, one geru and three atti trees.

2. A plan of the properties is available for inspection in the Special Land Acquisition Office, Shimoga.

K. S. GANGADHARA,
Secretary to Government,
7285 *Public Works Department.*